

Application No. 10/562,300  
Reply to Office Action of June 14, 2007

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Docket No.: 64634(48882)

### **REMARKS**

In the Office Action dated June 14, 2007, claims 1-7 are pending and all claims are rejected. Reconsideration is requested for at least the reasons discussed hereinbelow.

The drawings have been amended in each of figures 2 and 3, to correct reference number 56 to read "5b" to correspond to the specification. No new matter is added.

New claim 8 is submitted to more particularly point out and distinctly claim the subject matter regarded as invention. The claim is supported by the original specification and drawings. No new matter is added.

The present invention is characterized in that the tray orientation is set in either a horizontal orientation or a vertical orientation and that an external information storage medium to be mounted on a tray may be either a single disc or a cartridge housing a disc. Namely, the optical disc device of the present invention is suitable for use in a horizontal orientation and in a vertical orientation, and is capable of holding a single disc as well as a cartridge.

Claims 1, 2, 6 and 7 are rejected under 35 U.S.C. §103(a) over Sawada (US 6618340) in view of Obata (US 6973660). Applicant strongly disagrees. Neither Sawada nor Obata provide a holding mechanism capable of holding either a single disc mounting space or a cartridge mounting space according to a shape of a single disc or a cartridge to be mounted in the tray, as described and claimed herein. It is not seen how one of ordinary skill in the art would provide a holding mechanism capable of holding either a single disc mounting space or a cartridge mounting space according to a shape of a single disc or a cartridge to be mounted in the tray from the combination of Sawada and Obata. There is not even a hint of a suggestion in either Sawada or Obata to provide the claimed holding mechanism.

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Sawada discloses a device for tray loading in a vertical orientation. Further, it is concerned only with a single disc and not with a cartridge. Obata is designed to load either a single disc or a cartridge in a horizontal orientation. However, Obata fails to show loading of a single disc or a cartridge in a vertical orientation. Hence, a combination of Sawada and Obata would not lead a person skilled in the art to reach a optical disc device in which a cartridge can be loaded in a vertical orientation, as in the present invention.

As discussed above, the present invention relates to an optical disc device in which either a single disc or a cartridge can be mounted while the mounting surface is in a vertical orientation or in a horizontal orientation. In this respect, the present invention is different not only from Sawada and Obata, but also from any combination of these references.

Furthermore, according to Sawada, when the disc tray is oriented horizontally, levers need to be operated manually. In contrast, according to the present invention, the levers on the front side of the loading direction (front-end holding members) do not need to be operated manually. When a single disc is inserted, no particular operation of the front-end holding members is required. When a cartridge is inserted, the front-end holding members are pressed in by the cartridge. Whether in a vertical orientation or in a horizontal orientation, the front-end holding members work similarly. Although the levers in the rear side of the loading direction (rear-end holding members) are operated manually, such manual operation is intended to adjust the optical disc device for use of a single disc or a cartridge, and not for vertical placement or horizontal placement.

Thus, it is not seen how the presently claimed invention would have been obvious to one of ordinary skill in the art in view of any combination of Sawada and Obata.

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Claims 3-5 are rejected under 35 U.S.C. §103(a) over Sawada and Obata in view of Saito et al. (US 5844874; "Saito"). However, Saito *fails* to make up for the deficiencies Sawada and Obata. Saito also fails to teach or suggest a holding mechanism capable of holding either a single disc mounting space or a cartridge mounting space according to a shape of a single disc or a cartridge to be mounted in the tray, as described and claimed herein. Like Sawada, Saito relates to tray loading in a vertical orientation and is concerned only with a single disc and not with a cartridge. Furthermore, also according to Saito, when the disc tray is oriented horizontally, levers need to be operated manually (see, for example, column 9, lines 7-22 in Saito).

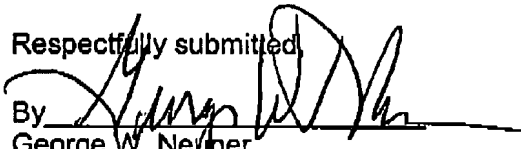
Thus, it is not seen how the presently claimed invention would have been obvious to one of ordinary skill in the art in view of any combination of Sawada, Obata and Saito.

In view of the discussion above, it is respectfully submitted that the pending application is in condition for allowance. An early reconsideration and notice of allowance are respectfully solicited.

If for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, the Commissioner is hereby authorized and requested to charge Deposit Account No. 04-1105.

Dated: September 14, 2007

Respectfully submitted,

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FIG.2

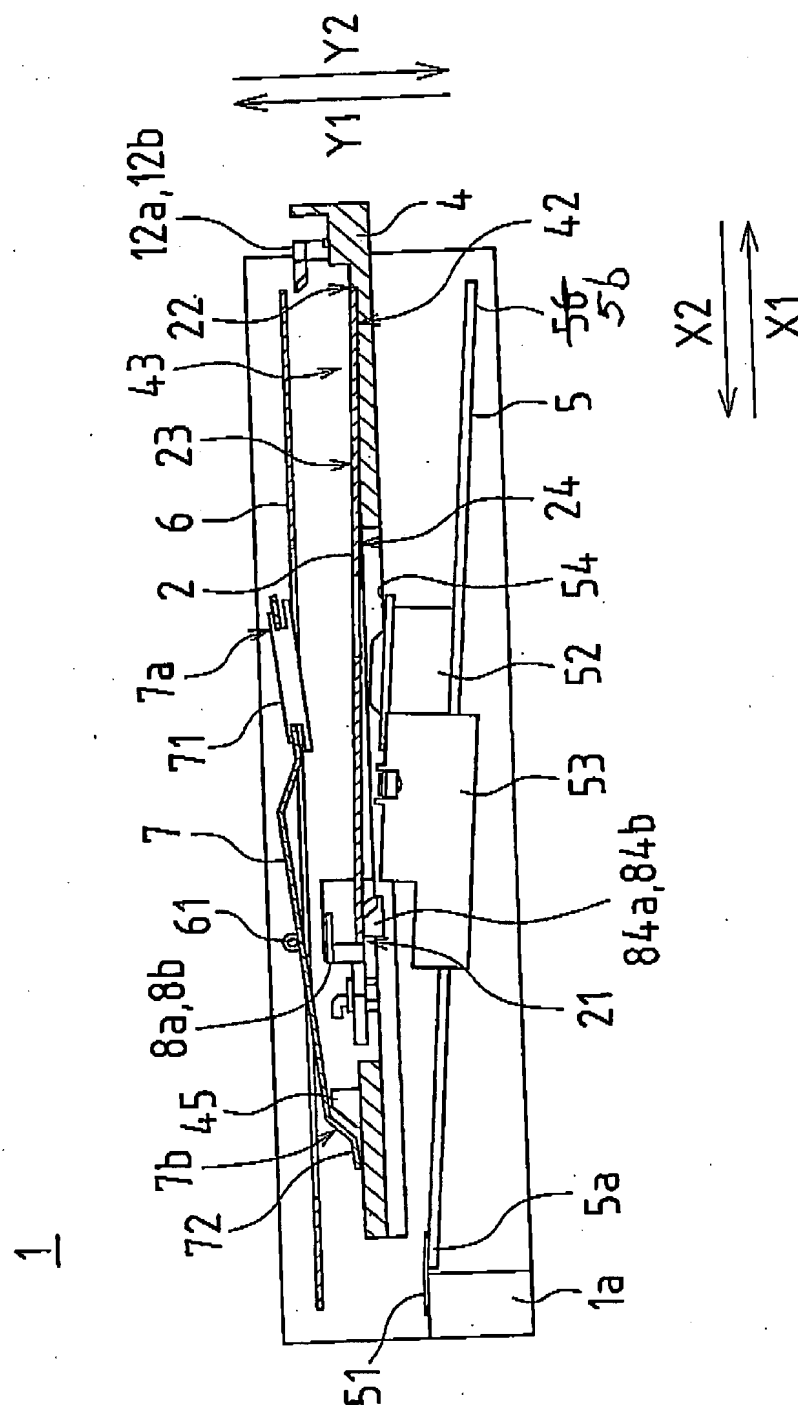


FIG.3

